

A091 (Rev. 8/01) Criminal Complaint

United States Court
Southern District of Texas
FILED

APR 07 2018

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Jennifer Alexandria MORRIS

CRIMINAL COMPLAINT

Case Number: 2:18mj411

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about April 6, 2018 in Brooks County, in the

(Date)

Southern District of Texas defendant, **Jennifer Alexandria MORRIS**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the
following facts:
Official Title

See Attached Affidavit of U.S. Border Patrol Agent

John D. Bullington

Continued on the attached sheet and made a part of this complaint:

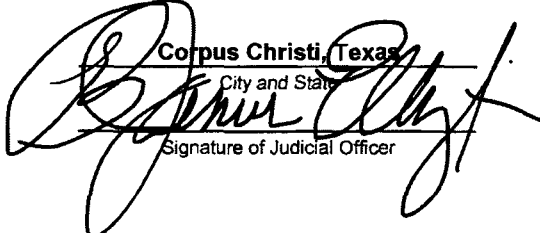
☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:


Signature of Complainant
John D. Bullington
Printed Name of Complainant

April 7, 2018
Date
B. Janice Ellington U.S. Magistrate Judge
Name and Title of Judicial Officer

at

Corpus Christi, Texas
City and State

Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

FACTS/PROBABLE CAUSE:

On April 6, 2018, Falfurrias Border Patrol Agents encountered and arrested Jennifer Alexandria MORRIS at the Falfurrias Border Patrol Checkpoint attempting to smuggle six illegal aliens in a silver Chevrolet Silverado driven by MORRIS.

On April 6, 2018, Border Patrol Agent (BPA) G. Ibarra was assigned traffic check duties at the United States Border Patrol Checkpoint south of Falfurrias, Texas. At approximately 0500 hours, a silver Chevrolet Silverado approached the primary inspection lane; BPA Ibarra asked the driver, later identified as Jennifer Alexandria MORRIS, if she was a United States citizen to which she answered, "Yes." As BPA Ibarra was questioning MORRIS, BPA A. Gonzales was using his service canine Milo-A to conduct a free air sniff of the vehicle being driven by MORRIS. BPA Ibarra asked MORRIS where she was going. MORRIS answered that she was going Falfurrias, Texas to meet with a friend. BPA Ibarra asked MORRIS what kind of job she was going to be doing. MORRIS paused and answered that she did not know and was going to find out this morning. BPA Morris asked MORRIS where she was going to meet her friend, MORRIS paused for a second, and proceeded to answer "at the Stripes".

BPA Gonzales advised BPA Ibarra to place the vehicle in secondary due to his canine alerting to the rear of the vehicle. BPA Ibarra asked MORRIS what her friend's name was, she paused once more before answering "Jose". BPA Ibarra advised MORRIS to drive into the secondary inspection area for a thorough inspection.

Once in secondary, Agents escorted MORRIS out of the vehicle and to the benches. BPA Gonzales along with his canine conducted a thorough inspection of the silver Silverado. The canine alerted to the toolbox/diesel tank placed in the bed of the truck. BPA Gonzales opened the toolbox for inspection. BPA Gonzales observed six subjects crammed inside. Five subjects were seated with their backs leaning on the tallest part of the compartment. The sixth subject was laying horizontally over the lower legs of the five seated subjects.

NOTE: An inspection of the toolbox did not reveal a latch or any manner for the aliens to open the compartment in case of an emergency.

BPA D. Rangel asked the six subjects as to their citizenship. Five subjects stated they were citizen of Guatemala illegally in the United States. One subject stated he was citizen of Mexico illegally in the United States.

At this point all subjects were placed under arrest. All subjects were then transported to the Falfurrias station for further processing.

MIRANDA WARNING and STATEMENT: Jennifer A. MORRIS (PRINCIPAL):

MENDEZ was read her Miranda Rights and Warnings. MORRIS stated she understood her Miranda Rights and was not willing to talk without a lawyer present.

MIRANDA WARNING and STATEMENT: Jose PERALES-Villanueva (MATERIAL WITNESS):

PERALES was read his Miranda Rights, stated he understood his rights, and agreed to make a statement without a lawyer present.

After PERALES crossed illegally into the United States and he stated he was taken to a couple stash houses. PERALES stated that on April 6, 2018, "Flaco" told them to get ready around 3:00 a.m. and around 4:00 a.m. he and another unknown Hispanic male told them to get in the diesel/ tool box of a Chevrolet pick-up truck. PERALES stated that he along with five other aliens got inside of the tool box and the truck took off.

PERALES stated that 15 minutes later he felt the truck stop at an unknown location and he heard both of the men get out of the truck and then heard a female voice. PERALES stated that he heard the female tell the two men "tell them to be quite" then the men told them the same thing but in Spanish. PERALES stated that he heard the female get inside of the truck and it took off.

PERALES stated that they traveled 40-50 minutes until they arrived at the checkpoint and that they did not make any stops. PERALES stated that he feared for his life, he could not move freely while inside of the tool box and he was not instructed how to exit in case of an emergency.

At the Falfurrias Station, PERALES was not able to identify MENDEZ as the driver of the truck in a photo line-up.

MIRANDA WARNING and STATEMENT: Pedro Justo GOMEZ-Monterroso (Material Witness):

BPA S. Flores, provided Pedro Justo GOMEZ-Monterroso with his rights in his preferred language of Spanish as per Service form I-214. BPA M. Silva witnessed the warnings. Pedro GOMEZ verbally stated that he understood his rights and signed Service form I-214 accordingly. GOMEZ agreed to provide a video-recorded statement without an attorney present.

After GOMEZ crossed illegally into the United States and Gomez stated he was taken to a couple stash houses. GOMEZ stated that on April 6, 2018 the caretaker told them to get ready around 3:00 a.m. and around 4:00 a.m. the caretaker and another fat unknown Hispanic male told them to get in the diesel/ tool box of a Chevrolet pick-up truck.

GOMEZ stated that he along with the four Guatemalan aliens and PERALES got inside of the tool box and the truck took off. GOMEZ stated that he was the second alien to get inside and he said five of them sitting down and the sixth alien was placed on top of their legs. GOMEZ was instructed by the caretaker to not make any noise and not to move.

GOMEZ stated that seven minutes later he felt the truck stop at an unknown location and he heard the driver get out of the truck. GOMEZ stated that he thinks they switched drivers, and he

stated that the caretaker told him at the house that he was not going to take them north, that he was going to get a different driver.

GOMEZ stated he heard the other driver get inside of the truck and then the truck took off. GOMEZ stated that before they took off the caretaker told them again not to move and to stay quite. GOMEZ stated that they traveled 30 minutes until they arrived at the checkpoint and that they did not make any stops. GOMEZ stated that he feared for his life, he could move his arms freely while inside of the tool box and he was not instructed how to exit in case of an emergency.

NOTE: GOMEZ was not able to positively identify the driver in a photo line-up.

MIRANDA WARNING and STATEMENT: Rosaria Cristina FUENTES-Gomez(Material Witness):

BPA S. Flores, provided Rosaria Cristina FUENTES-Gomez with her rights in her preferred language of Spanish as per Service form I-214. BPA M. Silva witnessed the warnings. FUENTES verbally stated that she understood her rights and signed Service form I-214 accordingly. FUENTES agreed to provide a video-recorded statement without an attorney present.


FUENTES stated that she crossed into the United States illegally. FUENTES stated she crossed with a group of 5 other subjects. FUENTES stated she and her Guatemalan companions were later taken to a mobile home where they stayed the whole time. Subject stated the house was taken care of by two males. They called each other "Cunado". FUENTES stated early morning on April 6, 2018, "Flaco" told them they were going to be leaving. He told them they would be getting into a box. Subject stated that it was early in the morning when "Flaco" told them to get in. Subject could not really see the color of the truck. FUENTES stated they sat in the "box" and one was laying across their legs.

Subject stated she felt the vehicle move and approximately 5-10 minutes later, it stopped. FUENTES stated she heard the males exit the vehicle and a female start talking. FUENTES stated they were there briefly and then she felt the truck move again. FUENTES stated it took them approximately 40 minutes from that last stop to get to the checkpoint.

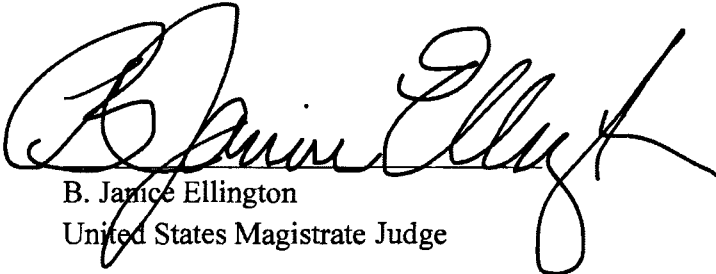
NOTE: Rosaria Cristina FUENTES-GOMEZ was not able to positively identify the driver in a photo line-up.

DISPOSITION:

The facts of this case were presented to Assistant United States Attorney Amanda Gould who accepted Jennifer A. MORRIS for prosecution of 8 USC 1324, Alien Smuggling. Jose PERALES-Villanueva, Pedro Justo GOMEZ-Monterroso, and Rosaria Cristina FUENTES-Gomez will be held as a material witnesses in this case.


John D. Bullington
Border Patrol Agent

Submitted by reliable electronic means,
sworn to, signature attested telephonically per
Fed.R.Crim.P.4.1, and probable cause found on April 7, 2018.


B. Janice Ellington
United States Magistrate Judge